

## Findings of the Law Enforcement Committee for Corrections Solutions

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In 1985, Hamilton County attempted to solve recognized jail bed shortages and overcrowding problems by building the Hamilton County Justice Center. The facility was built based on an overly optimistic belief about future jail space needs, and was inadequate immediately upon completion. It soon switched to a double-celled format; something it was not built for. The majority of the population presently at the Justice Center is medium or maximum risk offenders.

In 1986, consultants recommended increasing capacity by over 1,400 additional beds. Nothing came of this. In 1991, Queensgate Correctional Facility, an ancient and unsuitable structure, was conceived as a temporary solution, with a life-span of 3 to 4 years. Also in 1991, a new 1,500 bed facility was discussed and designed but, again, nothing resulted. Since 2001, the jail population has increased by 13%. Queensgate is still with us and remains unsatisfactory. The County system also operates two smaller facilities, both older and outmoded; one on Reading Road housing the Talbert House Treatment Program, and another called Turning Point, a DUI treatment program.

Because of the lack of space, low-level offenders are not taking up jail beds in any significant number. The population is now made up of those with offenses or backgrounds involving violence, guns, drugs and mandatory sentences. This is a population that is much more difficult to control. Others have problems with mental illness, or engage in crimes that negligently impact the quality of life for others. As an example of the changing jail demographics, the recent intensive study of the county corrections system, which will be discussed below, pointed out two established patterns. About 66% of those who are admitted are processed out in less than a week and use only 5% of the space. However, 7% of those admitted stay for a much longer time and use up 65% of the jail space. These are inmates who cannot safely be released. Jail space is simply not being taken up by low level, low risk offenders. For example, a spot survey on July 20, 2006, found only 34 non-support defendants in the system, 25 of whom were serving sentences. On that same date, there were 196 driving under the influence (DUI) defendants, all of whom were serving sentences. DUI sentences are generally mandatory terms of incarceration. The total system population on that date was 2,422.

Queensgate Correctional Facility houses approximately 800 inmates. It is a totally inadequate facility in every way. It remains a stopgap measure, best used for minimum security inmates only. Instead, it has a population that is at least 50% medium security. Queensgate is a crumbling facility with major security drawbacks, unsatisfactory medical facilities and no programming capabilities. It has outlived any usefulness it once had, and is a disaster waiting to happen.

The county correctional system remains inadequate despite intense efforts to screen and reduce the jail population. Pre-trial Services does an outstanding job in securing release and supervision for all those who can safely be released. Further, over the last 10 to 20 years, Hamilton County has developed an outstanding and extensive array of programs to reduce jail populations. These programs include drug court and diversion, and are fully utilized. It is estimated that Hamilton County is in the top 5% of systems in the country in its use of pre-trial release and alternative sentencing programs. New programs are not the solution, nor is a tent city. The \$6 million in construction costs for a tent city does not take into account the other financial costs associated with

operating a "tent city" jail. Staffing needs, medical facilities, feeding and intake expenses are all in addition to land acquisition and construction. We need a long-term permanent solution, not another Queensgate. We appreciate that Cincinnati City Council recognizes the need, and we appreciate the offer to help. Certainly, the correctional system serves the city. However, it would be more effective to utilize the \$6 million the City has offered to pay for space in the Butler County jail, pursuant to the existing agreement with Butler County, until our new facility is on line.

Everyone agrees that one of the primary reasons for the population decline in Hamilton County is crime. Unfortunately, it is tax-paying citizens who are leaving. The criminals have decided to stay. In order to control crime, jail space is needed both to punish and to serve as a deterrent. Probation and the accompanying programs are of no value if there is no available sanction for non-compliance, and that is the position we find ourselves in today. In 2005, there were a total of 4,000 "process releases" from the Justice Center, meaning defendants were booked and released because there was no room. We are on pace to nearly double that to over 8,000 this year! The county correctional system's ability to serve as a judicially ordered sanction for compliance, or even to hold those that need to be held, is severely compromised. We are truly facing a serious problem with immense quality of life implications for the City of Cincinnati and Hamilton County.

The County has already planned for a solution. In 2004, the Board of County Commissioners solicited Voorhis Associates and Poggemeyer Design Group for a master planning study of the County Correctional Facilities. The study took place in 2005 with representatives of the County Administration, the Courts, the Sheriff's Office and the Prosecuting Attorney participating fully. The Consultants recommended that the County consolidate the Queensgate, Reading Road and Turning Point facilities at a second location near downtown with expansion possibilities. On June 26, 2006, the County Administrator adopted the consultant's recommendation in his presentation to the Board. We endorse the Administrator's advice and recommendation.

The Consultant's report is comprehensive and compelling and for that reason will not be repeated here other than to mention three specific points.

1. The master planning effort found no less than seven prior alternative planning efforts and two comprehensive facility planning projects. The alternative planning efforts recommended a broad spectrum of procedural changes to increase the efficiency of the criminal justice system. These alternatives have been implemented and expanded to the extent that Hamilton County now has one of the most complete arrays of alternatives to incarceration that the consultant has seen in more than 20 years of practice. More programs will not solve the lack of beds we currently face.
2. Average daily population in the Hamilton County Jail system has increased drastically since 2001 despite all existing alternative programs. There are significant increases in the number of cases which involve violence, weapons and drugs. These individuals help create a more dangerous and difficult-to-manage population. The inability to house this increasing population will dramatically and adversely affect life in this county.
3. This scenario results in a needed system capacity of 3,036 beds, with a goal of reaching the year 2020 with this capacity and potentially making this last for a longer period if programs being piloted today impact recidivism, as anticipated.

The Board's consultants, the staff of the undersigned and the undersigned are experts in the field of law enforcement and corrections with decades of national and local experience in their fields. The issues have been thoroughly studied, discussed and debated. It is now time for the Board to accept and fund their consultants' recommendations.